

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN HANCOCK LIFE INSURANCE)
COMPANY, JOHN HANCOCK)
VARIABLE LIFE INSURANCE)
COMPANY, and MANULIFE)
INSURANCE COMPANY (f/k/a)
INVESTORS PARTNER LIFE)
INSURANCE COMPANY),)

Civil Action No. 05-11150-DPW

Plaintiffs,

v.

ABBOTT LABORATORIES,

Defendant.

**ABBOTT LABORATORIES' ASSENTED TO MOTION
FOR IMPOUNDMENT OF CONFIDENTIAL INFORMATION**

Pursuant to Local Rule 7.2, Defendant Abbott Laboratories ("Abbott")

respectfully moves this Court for leave to file the following documents under seal until further
Order of the Court:

a. Abbott Laboratories' Motion for Leave to File Reply to Plaintiff's

Opposition to the Motion for Protective Order (with attached Exhibit A – Abbott Laboratories'
Reply Memorandum in support of its Motion for Protective Order (the "Memorandum")); and

b. Supplemental Declaration of Ozge Guzelsu (the "Declaration");

The grounds for this motion are:

1. This action arises out of a certain Research Funding Agreement (the
"Agreement") dated March 13, 2001 between John Hancock ("John Hancock") and Abbott. The
Agreement is, by its terms, confidential.

2. The Memorandum and Declaration rely upon and discuss the confidential terms of the Agreement.

3. The Agreement also forms the basis for John Hancock's claims in the related action captioned *John Hancock Life Ins. Co., et al. v. Abbott Laboratories*, Civil Action No. 03-12501-DPW ("*Hancock I*").

4. The terms of the Agreement may not be disclosed without the prior consent of the non-disclosing party. Throughout this action as well as *Hancock I*, the Agreement has not been publicly disclosed.

5. In compliance with Local Rule 7.1(A)(2), Abbott has sought and obtained the consent of John Hancock to this Motion for Impoundment of Confidential Information.

WHEREFORE, Abbott respectfully requests that its Motion for Leave to File Reply with the attached Memorandum, and the Declaration be impounded until further Order of the Court. In addition, Abbott respectfully requests that the Court accept these documents provisionally under Seal pending the Court's ruling on this Motion. Upon termination of the impoundment period, Abbott will retrieve and take custody of the Motion for Leave to File Reply with the attached Memorandum, and the Declaration.

Dated: October 30, 2006

Respectfully submitted,

ABBOTT LABORATORIES

By: /s/Michael S. D'Orsi
Michael S D'Orsi

Peter E. Gelhaar (BBO#188310)
Michael S. D'Orsi (BBO #566960)
DONNELLY, CONROY & GELHAAR LLP
1 Beacon St., 33rd Floor
Boston, Massachusetts 02108
(617) 720-2880
peg@dcglaw.com
msd@dcglaw.com

and

Jeffrey I. Weinberger (*pro hac vice*)
Gregory D. Phillips (*pro hac vice*)
Eric J. Lorenzini (*pro hac vice*)
Ozge Guzelsu (*pro hac vice*)
MUNGER, TOLLES & OLSON LLP
355 South Grand Avenue
Thirty-Fifth Floor
Los Angeles, CA 90071-1560
Tele: (213) 683-9100

Counsel for Abbott Laboratories

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on October 30, 2006.

Date: October 30, 2006.

/s/ Michael S. D'Orsi

Michael S. D'Orsi